

NORTHERN IRELAND: PROSPECTS FOR THE PEACE PROCESS

HEARING BEFORE THE SUBCOMMITTEE ON EUROPE AND EMERGING THREATS OF THE COMMITTEE ON INTERNATIONAL RELATIONS HOUSE OF REPRESENTATIVES ONE HUNDRED NINTH CONGRESS

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WEDNESDAY, MAY 25, 2005

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON EUROPE AND EMERGING THREATS,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Subcommittee met, pursuant to call, at 1:03 p.m. in room 2200, Rayburn House Office Building, Hon. Elton Gallegly, (Chairman of the Subcommittee) presiding.

Mr. GALLEGLY. Today, the Subcommittee on Europe and Emerging Threats is holding a hearing on recent developments and the prospects for a lasting peace in Northern Ireland.

Since 1969, over 3,200 have died in both communities as a result of terrorism and political violence in Northern Ireland. For years, the British and Irish Governments, with the assistance of the United States, sought to facilitate a peaceful settlement to the conflict. Finally, in April 1998, the long-warring Catholic and Protestant factions in Northern Ireland signed the Good Friday Agreement. Just over 1 month later, strong majorities in both the north and south of Ireland endorsed the agreement in a referendum.

The Good Friday Agreement calls for the transfer of power from London to Belfast, and the establishment of the Northern Ireland Assembly and Executive Committee in which unionists and nationalists share power. It also contains provisions on disarmament, reformed policing, human rights, prisoners, and demilitarization by British armed forces.

However, full implementation of the Good Friday Agreement remains difficult. The devolved Northern Ireland Government has been suspended since October 2002 amid a loss of trust and confidence on both sides of the conflict. Unionists remain skeptical about the Irish Republic Army's (IRA) commitment to disarmament and non-violence. Nationalists worry about the pace of police reforms, demilitarization, and the ongoing loyalist paramilitary activity.

I believe we are at another critical point in Northern Ireland. The November 2003 election for the Northern Ireland Assembly produced a significant shift in the balance of power in favor of hardliners on both sides.

This trend was confirmed in the recent United Kingdom elections held earlier this month. In those elections, on the unionist side, the moderate Ulster Unionist Party (UUP) lost five of its six seats in the Parliament, while the anti-Good Friday Agreement Democratic Unionist Party (DUP) gained four seats and now hold a total of

nine seats at Westminster. And David Trimble, one of the major participants in the peace process, has resigned as leader of the Ulster Unionist Party.

On the Catholic side, Sinn Fein, the IRA's associated political party, picked up one seat from the moderate Social Democratic and Labour Party (SDLP). Sinn Fein members now have a five seat to three seat advantage over the SDLP in the United Kingdom Parliament.

At the same time, the IRA has not fully disarmed and, by all accounts, is still engaged in criminal activity. Another concern of mine is the IRA's links with the Revolutionary Armed Forces of Colombia (FARC) in Colombia and Castro's Cuba.

However, the failure to implement the Good Friday Agreement does not lie entirely with the IRA. Nationalists complain that devolution is proceeding at a slow pace, especially with regard to law enforcement functions. In addition, Sinn Fein leader Gerry Adams asserts that there is a double standard between what is demanded of the IRA and what is demanded of the unionist paramilitary organizations in terms of putting weapons beyond use.

I look forward to hearing Ambassador Reiss's views on these developments and his overall perspective on how to get the peace back on track.

I will start by apologizing to Ambassador Reiss. I personally have a markup in the Judiciary Committee. I know that the Ranking Member, Rob Wexler, is expected to be here shortly. Fortunately, a Vice-Chairman of the Subcommittee, and probably no one that needs to be introduced to issues affecting Ireland, is my good friend, Peter King from New York. With your indulgence, I would at this time like to turn the hearing over to Peter, and you can be assured that I will be reviewing what took place here in my absence. If I can get back before the end of the hearing, I will.

We have Mr. McCotter with us as well. I appreciate you being here. Peter, thanks for taking over.

[The prepared statement of Mr. Gallegly follows:]

PREPARED STATEMENT OF THE HONORABLE ELTON GALLEGLY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA, AND CHAIRMAN, SUBCOMMITTEE ON EUROPE AND EMERGING THREATS

Today, the Subcommittee on Europe and Emerging Threats is holding a hearing on recent developments and the prospects for a lasting peace in Northern Ireland.

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The Good Friday Agreement calls for the transfer of power from London to Belfast, and the establishment of the Northern Ireland Assembly and Executive Committee in which unionists and nationalists share power. It also contains provisions on disarmament, reformed policing, human rights, prisoners, and demilitarization by British armed forces.

However, full implementation of the Good Friday Agreement remains difficult. The devolved Northern Ireland government has been suspended since October 2002 amid a loss of trust and confidence on both sides of the conflict. Unionists remain skeptical about the IRA's commitment to disarmament and non-violence. Nationalists worry about the pace of police reforms, demilitarization, and ongoing loyalist paramilitary activity.

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I look forward to hearing Ambassador Reiss's views on these developments and his overall perspective on how to get the peace process back on track.

I will now turn to Mr. Wexler for any opening statement he may wish to make.

Mr. KING [presiding]. Thank you, Mr. Chairman.

I will just make a very brief statement, and then if Congressman McCotter has any words of wisdom, it is certainly his privilege.

I want to welcome Ambassador Reiss here today, and say that in holding this hearing, I think it is important to keep everything in perspective as to how far things have come along. I first went to Belfast 25 years ago, and you would not recognize the city today, or the Northern Ireland conditions today.

I think as we go forward we must keep that in mind, and realize that the United States has a central role to play in moving this forward. I want to certainly commend you for the work that you have done in the, I guess, year and a half now that you have been there. Thankfully, you are going to stay on for this tour. I question your sanity in doing it, but I really commend you for doing it. It is a great help to us, and I know that you have the best of all the parties there.

So no one is here to listen to my words. We will turn it over to you in a second, but first I would ask if Congressman McCotter from Michigan has anything to say.

Mr. McCOTTER. I am compelled to demure before your genius, Mr. Chairman.

Mr. KING. It is unusual wisdom from you, but I will accept it.

Very seriously, I would like to ask Ambassador Reiss if he would make his statement, and certainly update us on what he believes has been occurring, and also what the prospects are for the future. I know you just came back from Ireland, north and south. Also, you can update us on the elections and any recent events which have occurred there.

The Ranking Member, Mr. Wexler from Florida, is here. Rob, we are just about to start the testimony, do you want to make an opening statement?

Mr. WEXLER. Go ahead.

[The prepared statement of Mr. Wexler follows:]

PREPARED STATEMENT OF THE HONORABLE ROBERT WEXLER, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF FLORIDA

I want to thank Chairman Gallegly for holding this important hearing on Northern Ireland, and the implementation of the Good Friday Agreement and possibilities for the future.

I am pleased U.S. envoy Mitchell Reiss could join us today, having just returned from talks in London, Belfast and Dublin. I look forward to hearing his analysis of recent parliamentary elections in the U.K and their impact on the peace process.

Since the Good Friday agreement was signed in 1998, Northern Ireland has experienced both ups and downs. Significant progress has been made—such as the establishment of the Northern Ireland Assembly and Executive Committee in which the unionists and nationalists share power, and the transfer of governing authority from London to Belfast. Unfortunately, such progress has not been sustained. The devolved government has been suspended since 2002, negotiations remain stalemated and the IRA's commitment to disarmament and non-violence appears shaky at best.

The results of recent UK Parliamentary elections appear to have solidified the Catholic-Protestant divide, with the most staunch nationalists and unionists winning on both sides. It is now up to the leaders of the DUP and Sinn Fein to use their mandate either to break the current political impasse, or to continue the political polarization that has plagued this region for more than 35 years.

While I am sympathetic to the hardships and discrimination facing the Catholic community, the IRA must further decommission and abide by the rule of law. It must disarm and disassociate itself from other criminal activity such as the tragic murder of Robert McCartney earlier this year. While I was pleased to see Sinn Fein leader Gerry Adams' April statement calling on the IRA to end its armed struggle and fully embrace the political process, his words must be followed up by action on the ground.

Unionists must also take responsibility for their part in furthering the peace process and ending violence. They must fully commit themselves to stable power-sharing arrangements, human rights and fair employment. In addition, they must urge loyalist paramilitaries to disband and curb sectarian violence. And although important police reforms have been initiated over the last few years, all sides must work together to complete implementation of those reforms and ensure that new police services enjoy the support of the community as a whole.

At this juncture, it is clear that the British, Irish and U.S. governments must keep pushing for renewed power-sharing and paramilitary decommissioning in Northern Ireland. In the December 2004 proposals, the British and Irish government laid out a constructive plan for rebuilding governing institutions, restarting the devolved government and transferring justice and policing authorities to Northern Ireland. While I am hopeful this plan succeeds, the British government must also exhaust every measure to bring about a fair and just resolution to outstanding cases, including the murder of Patrick Finucane.

It is my sincere hope that all parties renew their commitment to the Good Friday Agreement and implement provisions that will break down the historic barriers that have separated Catholics and Protestants for far too long. The status quo cannot be sustained, and it is time for compromise on both sides that will build an atmosphere conducive to peace.

Mr. KING. Ambassador Reiss.

STATEMENT OF THE HONORABLE MITCHELL B. REISS, SPECIAL ENVOY OF THE PRESIDENT AND SECRETARY OF STATE FOR THE NORTHERN IRELAND PEACE PROCESS, U.S. DEPARTMENT OF STATE

Mr. REISS. I would like to thank the Committee for the opportunity to discuss United States policy toward Northern Ireland and review the current status of the peace process.

I have submitted a formal statement for the record, and I would like to offer briefer verbal comments at this time.

Mr. KING. Without objection, the full statement will be made part of the record.

Mr. REISS. Thank you. I have had the privilege of serving as the President's Special Envoy on this issue for the past 18 months. I am deeply grateful to the Members of the House and the Senate

for their generosity in sharing their experience and the insights they have gained in dealing with this issue for far longer than I have. I also want to acknowledge the assistance and support of members of the Irish American community, many of whom have also devoted years in support of the peace process.

America's commitment to Northern Ireland starts at the highest level. This was reaffirmed by President Bush on March 17, 2005, when he met with the Irish Prime Minister and civic leaders from Northern Ireland. On that occasion, the President said that the story of the Irish is a story of America, and that when Irish immigrants came to these shores for liberty, they ended up adding to our freedom. We are likewise committed, he said, to helping the courageous people of Northern Ireland build a stable peace and he promised that the American people will stand with them.

The Good Friday Agreement's greatest achievement has been to provide a context for the steady evolution of this conflict away from violence and toward an exclusively political path. While this process is not yet complete, it has produced a remarkable transformation in Northern Ireland over the past several years. Life in Northern Ireland is becoming more normal. The economy has grown steadily over the past decade, and the unemployment rate is now below 5 percent. According to the latest data, Northern Ireland tourism had its best year on record in 2003, with the number of visitors increasing by 12 percent.

Last week in Belfast I met with business leaders. It was clear from our discussion that the people of Northern Ireland have the entrepreneurial drive to build on these successes provided the government's role in the economy is reduced and political stability is maintained.

Policing is another success story. The Good Friday Agreement mandated the creation of the Patten Commission to recommend reforms in Northern Ireland's policing institutions. Following the Patten recommendations, 50 percent of all new police recruits now come from the Catholic community. The Police Oversight Commissioner stated in his last report that the degree of change already accomplished over a relatively short period is both remarkable and unparalleled in the history of democratic policing reform.

I can testify to that change. Last week I visited with young police officers, representing both communities, to hear firsthand their commitment to policing and to building a more just and fair society in Northern Ireland. The Chief Constable, Hugh Orde, has been building a new force with a new culture grounded on the philosophy of community policing and the need to respect human rights. The Police Ombudsman, Nuala O'Loan, has provided robust oversight of police effectiveness and the Cross-Community Policing Board holds the police service to account.

The United States has supported this transformation through exchange programs, training, and the sharing of best practices by American police officers and community leaders. These contacts have helped reinforce the central message of Patten: That policing with community support is the only effective and democratic way to administer law enforcement.

The political framework provided by the Good Friday Agreement, increasing economic opportunity, and the police service that has

the growing support of local communities have made a profound difference in Northern Ireland society. While significant progress has occurred since 1998, it is true that some problems remain. Two of the core institutions established by the agreement, the Northern Ireland Assembly and its Executive, have been suspended since October 2002 due to disagreements about weapons decommissioning and concerns about continuing IRA activities.

Late last year, we saw some progress toward resolving these problems, but a final resolution proved illusive. In September, Prime Minister Blair and the Irish Taoiseach, Bertie Ahern, proposed a comprehensive settlement in which the IRA would agree to discard all of its weapons in transition to a new mode. Ian Paisley's party, the DUP, agreed to accept all of the fundamental elements of the Good Friday Agreement, including a requirement to serve in a power-sharing government with representatives of Sinn Féin.

In early December, after several weeks of negotiations, the parties refused to accept the comprehensive settlement because of a number of disagreements, the most prominent of which was whether the IRA would permit photographic evidence of weapons decommissioning. Prospects for a settlement deteriorated further when a Belfast bank was robbed of about 26 million pounds in late December. The British and Irish Governments have both stated definitively that the IRA was responsible for the crime, and I have no reason to doubt that assessment.

The following month, on January 30, Robert McCartney was stabbed to death outside a pub in central Belfast. The McCartney family and others whom I trust believe that members of the IRA perpetrated this crime, covered up the evidence, and intimidated those who witnessed the murder. Indeed, the IRA has admitted that some of its members were involved in the murder. But this is not just about the McCartney family's tragic loss. This is about the fundamentals of justice. In a democratic society, it is the responsibility of all citizens—and especially of elected politicians—to uphold the rule of law and cooperate with the authorities.

Mr. Chairman, U.S. policy on paramilitary activity—from both the republican and the loyalist sides—has been clear and consistent. We condemn it, unequivocally. The Good Friday Agreement provided all parties in Northern Ireland with a vehicle to pursue their objectives through democratic, nonviolent politics and it provided a mechanism for armed groups to discard their weapons without sanctions. Seven years after concluding that agreement and 4 years after 9/11, it is well past time for the remaining paramilitary groups to end violence and cease their criminal activities.

Political parties associated with private armies have no place in Irish politics in the 21st century. The Irish Prime Minister, Bertie Ahern, was emphatic on this point in a speech he gave 2 months ago. In voting for the Good Friday Agreement in 1998, he said, the people of Ireland “did not vote for an armed peace. Or for a criminal peace. They voted for a democratic peace. We must have closure to build that democratic peace. Closure on decommissioning. An end to all illegal activities. No more threats and no more intimidation.”

Mr. Chairman, Members of Congress have also taken leadership roles on this issue, especially yourself. In this regard I would like

to recognize the hard work of the Friends of Ireland Caucus, which includes four Members of this Subcommittee. In March, the Chairman of the Friends of Ireland, Representative Jim Walsh, called on the IRA to “go out of business” because its activities were “damaging the credibility of the Republican movement.” Senator Kennedy has also been outspoken, saying that “Sinn Fein and the IRA need to understand that the vast majority of Irish Americans deplore and condemn violence and criminality.”

In April, Sinn Fein President Gerry Adams also said that the time has come for Irish republicans to pursue their objectives through purely democratic and peaceful means, to no longer rely upon “armed struggle.” We welcome this statement by Mr. Adams and are waiting to hear the response from the IRA. That response should contain actions which show conclusively that Irish republicans are fully committed to principles of non-violence regarding both paramilitary and criminal activities.

During my visit to the region last week, I met with Prime Minister Ahern, the new Northern Ireland Secretary of State, Peter Hain, the Irish Foreign Minister, Dermot Ahern, and with party leaders from the DUP, Sinn Fein, the SDLP, and the UUP. Now that the Westminster elections have concluded, there is an expectation that London, Dublin and the parties will resume their political engagement and try to restore devolved government in Northern Ireland.

As always, the United States will be there to assist them. The Bush Administration remains committed to keeping this process moving in the direction of long-term peace and stability. Our role continues to be that of honest broker, impartial advisor and strong advocate for the principles of the Good Friday Agreement. As we move ahead, I look forward to working with you, Mr. Chairman, and the Members of your Subcommittee to achieve our goals in Northern Ireland.

Thank you.

[The prepared statement of Mr. Reiss follows:]

PREPARED STATEMENT OF THE HONORABLE MITCHELL B. REISS, SPECIAL ENVOY OF THE PRESIDENT AND SECRETARY OF STATE FOR THE NORTHERN IRELAND PEACE PROCESS, U.S. DEPARTMENT OF STATE

Mr. Chairman, thank you for the opportunity to discuss U.S. policy towards Northern Ireland and review the current status of the peace process. I have had the privilege of serving as the President's Special Envoy on this issue for the past 18 months. I am deeply grateful to members of the House and the Senate for their generosity in sharing their experience and the insights they have gained in dealing with this issue for far longer than I have. I also want to acknowledge the assistance and support of members of the Irish American community, many of whom have devoted years in support of the peace process.

America's commitment to Northern Ireland starts at the highest level. This was reaffirmed by President Bush on March 17, when he met with the Irish Prime Minister and civic leaders from Northern Ireland. On that occasion, the President said that the story of the Irish is the story of America, and that when Irish immigrants came to these shores for liberty, they ended up adding to our freedom. We are likewise committed, he said, to helping the courageous people of Northern Ireland build a stable peace and promised that the American people will stand with them.

U.S. policy on Northern Ireland enjoys bipartisan support in Washington. This support enhances our ability to achieve our objectives. These objectives are for Northern Ireland to emerge as a fully democratic, prosperous, and tolerant society that respects the rule of law, protects human rights and safeguards equality of opportunity and treatment.

Since the start of the peace process, the United States has fully supported the efforts of the British and Irish governments to negotiate a settlement to the 30-year conflict in Northern Ireland. In 1998, these efforts resulted in the Belfast Agreement, widely known as the Good Friday Agreement, which was the culmination of years of work led by former Senator George Mitchell.

The Agreement provided an innovative solution to a constitutional question: Should Northern Ireland remain within the United Kingdom or form part of the Republic of Ireland? The Good Friday Agreement affirmed that Northern Ireland's future should be determined by its own citizens in a democratic manner. The Agreement also sets forth fundamental principles of respect for human rights and the need to rely upon exclusively peaceful and democratic means to pursue political objectives. The Agreement established an elected Northern Ireland Assembly and new institutions that recognize the unique ties that connect both halves of Ireland and that link together all the constituent parts of the islands—England, Ireland, Scotland and Wales.

The Agreement's greatest achievement has been to provide a context for the steady evolution of this conflict away from violence and toward an exclusively political path. While this process is not yet complete, it has produced a remarkable transformation in Northern Ireland over the past several years.

The poet Seamus Heaney recalled the desolation of the Troubles as a quarter-century of "life-waste and spirit-waste, of hardening attitudes and narrowing possibilities." Instead of provoking such despair, today's Northern Ireland inspires optimism. Last year, Archbishop Sean Brady marked the tenth anniversary of the IRA ceasefire with a profoundly hopeful message about the prospects for long-term peace. The Archbishop noted that he was administering Confirmation to "children who, for the first time in several generations, have grown up free from the daily memory of killings, bombings, funerals and tears."

Life in Northern Ireland is becoming more normal. The economy has grown steadily over the past decade and the unemployment rate is now below 5 percent. According to the latest data, Northern Ireland tourism had its best year on record in 2003, with the number of visitors increasing by 12 percent. Last week in Belfast I met with business leaders and it was clear from our discussion that the people of Northern Ireland have the entrepreneurial drive to build on these successes, provided the government's role in the economy is reduced and political stability is maintained.

Policing is another success story. The Good Friday Agreement mandated the creation of the Patten Commission to recommend reforms in Northern Ireland's policing institutions. Following the Patten recommendations, 50 percent of all new police recruits now come from the Catholic community. Police Oversight Commissioner stated in his last report that the "degree of change already accomplished over a relatively short period . . . is both remarkable and unparalleled in the history of democratic policing reform." I can testify to that change. Last week I visited with young police officers representing both communities to hear first-hand their commitment to policing and to building a more just and fair society in Northern Ireland.

Policing in Northern Ireland is never going to be perfect—just as policing will never be perfect in any community. But due to enhanced oversight and accountability, we have already seen great progress, ensuring that those who uphold the law are not beyond it.

The Chief Constable, Hugh Orde, has been building a new force, with a new culture, grounded on the philosophy of community policing and the need to respect human rights. The Police Ombudsman, Nuala O'Loan, has provided robust oversight of police effectiveness, and the cross-community Policing Board holds the police service to account. The United States has supported this transformation through exchange programs, training and the sharing of best practices by American police officers and community leaders. These contacts have helped reinforce the central message of Patten: that policing *with* community support is the only effective and democratic way to administer law enforcement.

The political framework provided by the Good Friday Agreement, increasing economic opportunity and a police service that has the growing support of local communities have made a profound difference in Northern Ireland society. Significantly, deaths from terrorism and paramilitary crime have declined from an average of 53 per year in the 1990s to 11 per year since 2000. Last year, only four people were killed in political violence in Northern Ireland. Our overarching objective is to build a society in Northern Ireland that no longer has reason to compute these tragic statistics.

While significant progress has occurred since 1998, some problems remain. Two of the core institutions established by the Agreement, the Northern Ireland Assembly and its Executive, have been suspended since October 2002 due to disagree-

ments about weapons decommissioning and concerns about continuing IRA activities.

Late last year we saw some progress toward resolving these problems, but a final resolution proved elusive. In September, Prime Minister Blair and the Irish Taoiseach, Bertie Ahern, proposed a comprehensive settlement in which the IRA would agree to discard all of its weapons and transition to a "new mode." Ian Paisley's party, the DUP, agreed to accept all of the fundamental elements of the Good Friday Agreement, including a requirement to serve in a power-sharing government with representatives of Sinn Féin.

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Mr. Chairman, Members of Congress have also taken leadership roles on this issue. In this regard I would like to recognize the hard work of the Friends of Ireland caucus, which includes four members of this subcommittee, Representatives King, Engel, McCotter and Wexler. In March, the Chairman of the Friends of Ireland, Representative Jim Walsh, called on the IRA to "go out of business" because its activities were "damaging the credibility of the Republican movement." Senator Kennedy has also been outspoken, saying that "Sinn Féin and the IRA need to understand that the vast majority of Irish Americans deplore and condemn violence and criminality."

In April, Sinn Féin President Gerry Adams also said that the time has come for Irish republicans to pursue their objectives through purely democratic and peaceful means, to no longer rely upon "armed struggle." We welcomed this statement by Mr. Adams and are waiting to hear the response from the IRA. That response should contain actions which show conclusively that Irish republicans are fully committed to principles of non-violence regarding both paramilitary and criminal activities.

During my visit to the region last week, I met with Prime Minister Bertie Ahern, the new Northern Ireland Secretary of State, Peter Hain, the Irish Foreign Minister, Dermot Ahern, and with party leaders from the DUP, Sinn Féin, the SDLP and the UUP. Now that the Westminster elections have concluded, there is an expectation that London, Dublin and the parties will resume their political engagement and try to restore devolved government in Northern Ireland.

As always, the United States will be there to assist them. The Bush Administration remains committed to keeping this process moving in the direction of long-term peace and stability. Our role continues to be that of honest broker, impartial advisor and strong advocate for the principles of the Good Friday Agreement. As we move ahead, I look forward to working with you, Mr. Chairman, to achieve our goals in Northern Ireland.

Thank you.

Mr. KING. Thank you, Ambassador Reiss. I certainly appreciate your statement and the efforts that you have put into this cause. I really have one question with several parts to it, and then I will just defer to you to answer each of them.

First, looking toward the future, do you expect the IRA to stand down, and what would the time frame of that be? Second, if they do, now that he and Paisley have such dominant power on the unionist side, when do you think he will be willing to engage or at least go back to the situation they were in last November and December? Thirdly, now that the British elections are behind us and Prime Minister Blair is elected, will the talk that Mr. Blair may only serve 2 or 3 years impact the time frame for the Irish peace process? Will that move it forward or would one of the parties be willing to wait out Mr. Blair? Finally, what prospects do you see for Sinn Fein joining the policing board?

Mr. REISS. Thank you, Mr. Chairman.

Perhaps the easiest way for me to answer the question is to try and anticipate what the political calendar might look like over the next 6 to 9 months. Right now, the next step really belongs to the IRA. All of us are waiting to hear the response to Gerry Adams' statement that he made on April 6. There is some expectation that the IRA may return with an answer within the next month or so, before the marching season begins.

Should they come back with a clean statement, with a positive statement, I think then the next item on the agenda really is to make sure that the marching season stays peaceful. We have had two fairly successful summers behind us. We need to make sure that this is the third summer in a row where there is not violence breaking out.

The calendar then turns to July and August. The reality is that many of the key participants will be going on vacation during this period of time. So realistically speaking, we are looking at September, where the hope is that, again if the IRA statement is good and if the marching season is successful, all the political parties can get back together and we can try and see if we can iron out an agreement. I think at that time we will see all the parties, including the DUP, being engaged actively by both London and Dublin, and of course, by Washington.

The question of Prime Minister Blair's time in office is one that I really cannot answer, but I think there is a perception on the part of some of the individuals I spoke with that given his enormous dedication and commitment to this issue, that they would like to achieve an agreement while he is still prime minister. And so to the extent that he maintains his position and maintains his interest, I think all the parties involved would respond very positively.

The last question you asked had to do with Sinn Fein joining the policing board. I think that this is all part of this ongoing process. My understanding, from what was agreed to last December, was that in principle Sinn Fein did agree to join policing. It was part of this comprehensive settlement. So in one sense, this issue has already been answered by Sinn Fein. The key tactical question is timing, and the timing will be determined by how the political process unfolds.

Mr. KING. The Independent Monitoring Commission (IMC) issued its report yesterday, I believe. Is there anything in there you find of a serious enough nature to be a significant impediment to the peace process or to the talks going forward? Were there any real surprises in there?

Mr. REISS. Well, I am not sure that there were any real surprises, but I think that there were a couple of significant items that are worth flagging.

The report noted that IRA activity continues, both in training and recruiting. This type of activity is less than it has been in the past, but it is still ongoing, and of course, that is a major concern. Likewise, there was also identified in the report that loyalist paramilitary activity is ongoing, and similarly, this is a concern as well.

So as I said in my statement, we oppose all types of paramilitary activity regardless of which community it comes from. Clearly, that needs to be addressed and handled if we are really going to have any stable peace.

One thing that is worth noting is that the IMC enjoys a tremendous amount of credibility. I think that it is because they have been willing to identify problems in each community, that it has won a measure of respect across the political spectrum in Northern Ireland. And I think this is worth mentioning because the IMC is going to be looked at as we go forward with the peace process as one source of verifying that the IRA has gone to a new mode.

So to the extent that it is calling it as it sees it, I think that is a good thing. The fact that what it is now seeing is troublesome is just the reality that we deal with right now.

Mr. KING. Mr. Wexler.

Mr. WEXLER. Thank you. Thanks to the acting Chairman, Mr. King. I too want to just indicate my extraordinary respect for your efforts and your expertise, and thank you very much for being here with the Subcommittee today.

Your assessment, if I understand it correctly, in terms of exactly where we are—paraphrasing what you said, I think, was—is that the ball is basically in the IRA's court and we are awaiting a response, and you hope that that response will be coming in a month or so.

In no way am I challenging your assessment, but I am just curious. The *Washington Times*, I think, last week had an article where some of the more hardline unionist members essentially stated that they did not expect that there would be a stable power-sharing agreement reached for a generation. If the primary or one of the primary responsibilities of the unionist is to agree ultimately to stable power-sharing arrangements, how do we square the two?

Mr. REISS. Yes, thank you, Congressman. I think that article was referring to the statement that Ian Paisley made outside Number 10 Downing Street after he met with Prime Minister Blair in which he said that the Good Friday Agreement is dead. He did not use these words when I met with him, and in fact, the reality is that the DUP signed up to, essentially, the Good Friday Agreement last December. So I think that too much can be made of any single statement that was said, especially when it comes before microphones and cameras, especially at a time before real negotiations have taken place.

I must say that I was not discouraged by the conversation that I had with Ian Paisley and the other members of the DUP when I was in London last week. But obviously there are some members of the DUP who feel this way. So it really means that any negotiation, if we get that far, is going to be a difficult one, but it is useful to remember that they did sign up to do a deal last December.

Mr. KING. Mr. McCotter.

Mr. MCCOTTER. It is in relation to this, but it may just be more of a philosophical question. You are very well known for your intellect, unlike some. [Laughter.]

We were just with President Abbas—obviously they have an issue with Hamas—and one school of thought, which I do not share, is that as an entity that has a political wing and a paramilitary wing/terrorist wing gets integrated into a political system and that inherently over time the military wing will eventually be subsumed.

In the instance of Northern Ireland and the IRA or the constant militaries or anywhere else in the world, where has that model been successfully followed?

It seems to me that it does not necessarily intrinsically follow that as the political wing of the entity becomes more emersed within the government, that at some point the military wing either withers away or disbands.

Do we have any examples of where that has worked or have other steps had to have been taken down the road?

Mr. REISS. Well, you are catching me a little bit short. I would like to think a little bit more about other examples. But I think the most prominent example right now is the one that is before this Subcommittee, which is Northern Ireland itself.

The IRA has been on cease-fire since 1996, and as the Chairman said, and as anybody who goes and visits Northern Ireland can testify, there has been a remarkable change in Northern Ireland in that period of time. It has not gone away completely. It continues to do the sorts of things that have been chronicled in the IMC report, but the trend, I think, is pretty clear, and there is the hope that we can take those few final steps.

Now, we do not know if we are going to be able to do that or not. We may have a much better idea of our chances for success when the IRA comes back with a response, hopefully within the next month or so. Your concern is one that is shared by many of us and it certainly is shared by the unionist community in Northern Ireland, but there has been a clear change over the last decade, and it is all of our jobs now to try and make sure that this thing can be put to bed.

Mr. MCCOTTER. If I can follow up with that, Mr. Chair.

Some of the optimistic things that have happened with the IRA's decommissioning could serve as models or at least lessons to be learned in trying to deal with other entities that we would like to see subsumed into—theoretically—a political system so that they can be demobilized and disarmed. But then again, if you can cite me somewhere—I am not putting you on the spot, I just want to learn this, because I have got to deal with a lot of stuff—is that in the case of the Unionist Northern Ireland for many years, is that you have the government either implicitly, tacitly or implicitly al-

lowing paramilitary groups to occur while they controlled a political process at the top. So I am just trying to look for some lessons that we are learning out of this. I do not need them today, but if you can find them, because if it worked here, it may be applicable in other areas. And if you find a pitfall along the way, it would be helpful to know, or if it did not work there, it might not work here too. But I thank you for humoring me.

Mr. REISS. Well, thank you, Congressman. You have given me some homework to do, so give me some time and I will get back to you.

[The information referred to follows:]

WRITTEN RESPONSE RECEIVED FROM THE HONORABLE MITCHELL B. REISS TO QUESTION ASKED DURING THE HEARING BY THE HONORABLE THADDEUS G. MCCOTTER

Though the implications of the Good Friday Agreement (GFA) on future negotiations are numerous, I believe that there are two important lessons learned regarding weapons decommissioning in Northern Ireland. The first lesson is the use of an agreed framework, known in this case as the Mitchell Principles, which allowed the parties to sign on to a set of strategic objectives prior to commencing negotiations. These principles committed all negotiating parties to adhere to norms of democracy and nonviolence. This was a pragmatic way of committing Sinn Féin to renounce violence while deferring the much more difficult issue of IRA weapons decommissioning until later in the negotiation.

The second lesson learned was the value of international participation in the process. The GFA established a process for paramilitary weapons decommissioning that is verified by the Independent International Commission on Decommissioning (IICD). This process allowed the paramilitary groups to avoid the perception that they were surrendering weapons to the British Government by interposing an international body to handle the weapons issue.

These two tools proved effective when dealing with the decommissioning of IRA weapons, but no two regional conflicts are analogous and successful elements in the Northern Ireland peace process may not be readily applicable to peace negotiations elsewhere.

Mr. KING. Mr. McCotter, one example I might give—again, this could open up a debate—by my recollection, at the time that Menachem Begin won the Nobel Peace Prize, he was still wanted as a criminal in Great Britain for what was alleged to be terrorist activities during the 1940s in the war between the Israelis and the British at that time. And again, that can open up a whole debate, but there were people who were part of a violent wing who did become part of the Israeli Government later on.

Also, in South Africa, the African Congress—certainly under Nelson Mandela—moved into government. You know, they could be possible examples. No two cases are the same, but I think they could be looked at as, at least somewhat, analogous.

If I could just bring up the question of the whole killing of Robert McCartney, not just the incident itself, which everyone condemns, but what you feel the impact will be as far as the political process goes forward.

Also, I think it should be worth noting, and my recollection is, that there were no killings in 2004 by the IRA. This was a killing in a bar, as traumatic as it was, it was in no way sanctioned by the IRA.

Mr. REISS. Right.

Mr. KING. It could have been covered up by them later on. I would say there are any number of instances that happens in the United States, whether it is law enforcement authorities or military or whatever, where a group does stand behind its own. But I

think it is important to note that was in no way ordered or sanctioned by them. Anyway, what will the impact be as far as on the political process? Apart from the human elements of a person being killed, how long will that go forward as far as holding back the process?

Mr. REISS. As I said in my testimony, it is obviously a personal tragedy for the McCartney family, and for Robert's fiancée. But the sisters believe, and many of us believe, that in fact Robert's death is emblematic of a culture of criminality that not only persists in some of these communities, but also is tolerated, and it is supported by intimidation that has taken place subsequent to this particular murder. I met with the sisters last week in Belfast, and they are still receiving threats. There were threats that were reported about them being burned out of their apartments. They have been receiving threats and have been harassed on the street in the Short Strand. So this is an ongoing effort to try and intimidate the sisters to stop their campaign for justice.

In terms of the political consequences, one possible consequence we have already seen is that the Sinn Fein candidate for the Short Strand did not get elected recently, the Alliance Party candidate did. The sisters believed that this was in part due to their campaign and the attitude shift by the members of the Short Strand against this type of brutish, criminal behavior by the IRA members.

Whether it has any broader implications politically, I think we will have to wait and see. It may be a little bit too early to tell. I think that if the members of that community can be persuaded to come forward and cooperate fully with the police, and to report on what they saw, and then to testify to it in open court, that would then indicate a real sea-change in attitudes in that community, but I think more broadly in republican areas throughout Northern Ireland.

So that is really, I think, what the sisters want. They do not want vigilante justice. They want the wheels of justice to turn as they should and for those responsible for the murder to be prosecuted properly.

Mr. KING. Assuming hopefully that the IRA does make a statement before the marching season, and it is a satisfactory statement, and in effect stands down, however that is defined but in effect they stand down, do you believe that the Northern Ireland police service is ready to protect those nationalist communities such as the Short Strand which are sort of isolated and surrounded by loyalists?

Remember last year, for instance, Gerry Kelly was actually on the street, and he was very responsible for restoring order and also in protecting the communities. Rightly or wrongly, many people in those communities looked for the IRAs being their defense against these type of invasions, if you will. Are the police equipped and ready, do you think, to meet that challenge?

Mr. REISS. As usual, you have identified a key question, and one could play it out exactly as you just mentioned. The IRA comes back with a very positive statement, but then the elements of the unionist community then engage in the type of provocative behavior that results in violence in republican neighborhoods. Then it

would be an understandable question for at least some members of those communities to say, see, this is what happens if we do not have the IRA to protect us.

So you are absolutely right. The key question is really twofold. Can the unionist leadership send a message to their communities to behave themselves during the marching season period, but also and especially, in the wake of a positive IRA statement? And then can Hugh Orde and the Police Service of Northern Ireland (PSNI) do their job in the nationalist communities?

I have all the confidence in the world in Hugh Orde, but he is going to need the cooperation of those communities to allow themselves to be policed by the PSNI. So there is an awful lot of work to be done if the IRA statement comes back positive, or even if it does not come back positive. A number of people that I spoke with are already working on the ground in the interface areas to try and make sure that this marching season is a successful one.

Mr. KING. One final question: Can you update us on what the status of the Patrick Finucane case is, and the position that the American Government has taken on it?

Mr. REISS. Well, thank you for asking that question. As you know, I have raised this issue at every occasion when meeting with British officials. I raised it again when I was in London.

I had the opportunity to meet with the head of MI5 to discuss personally with her this issue. She has told me that every piece of evidence that exists within her organization will be made available to this tribunal. I asked her if I could relay that information publicly when I came back to Washington given the confidential nature of our conversation, and she said that I could. So I think that is the good news.

The less good news is that there is enormous sensitivity over compromising sources and methods, and there is concern over how much of the material may be made public. There is new legislation now that is going to govern this inquiry. It was passed in April. The British Government is now searching for a judge or judges to serve on this tribunal as they go forward.

I think we all need to keep on watching very carefully. She was confident that when all is said and done, when all the evidence is presented, and when the report is finally written, that the British Government will be shown to have behaved honorably. Of course, that is what all of us want. We all want the truth to emerge, or at least as much of it as possibly can. We are going to keep on watching this closely and talking with the British about it.

Mr. KING. How about the Rosemary Nelson case?

Mr. REISS. Rosemary Nelson case, that inquiry has already started.

Mr. KING. Okay.

Mr. REISS. My understanding is that under the new legislation, because it has a slightly different jurisdictional basis, it will not be taking place.

Mr. KING. We are joined by Congressman Engel. We are basically getting an update on Ambassador Reiss's recent trip to the North. Do you have any questions?

Just so you know, you were mentioned in the Ambassador's statement as being a hard worker for Ireland, which is true by the way. I just wanted you to know that.

Mr. ENGEL. Well, in that case, I will tell the Ambassador that he is doing a great job for our country, and we appreciate him coming to speak with us.

This may have been asked, but I was concerned that Rita O'Hare was denied a visa to the United States. She has come here so many times in the past, I understand 7 years, and we have all gotten to know her on a personal level and appreciate her candor. I just think that it is a bad policy for us at this stage of the game, someone wants to express annoyance with Sinn Fein, so they are denied a visa. I do not care what the official reason is. It makes no sense. This woman is no threat to anybody. Quite the contrary. I think she is a tireless worker for peace.

I would just like to know why, and I would like to express my severe displeasure at it. I really think it should be changed. She should continue to be allowed to come here and get her visas.

Mr. REISS. Congressman, I am under some constraints on how I can comment because I am not allowed to comment on an individual visa issue. But I will say that I agree with you that it is bad policy if, in fact, this recent decision is a policy decision and does set a precedent. My concern is, which I have expressed to the other government agencies, that this not be a policy, that this not serve as a precedent to deny Ms. O'Hare a visa waiver in the future, that it be a one off situation, and not serve as any type of example that will be perpetuated.

Ms. O'Hare has been a very reliable and consistent interlocutor with all of us for Sinn Fein and for the peace process, and we want to make sure that she is able to continue playing that role in the future.

Mr. ENGEL. Thank you. I appreciate those comments, and just want to say that I wish you would convey my strongest displeasure at her being denied the visa, and I just hope that we can change the policy quickly.

Thank you, Mr. Chairman.

Mr. KING. Congressman McCotter.

Ambassador Reiss, with that I believe we have covered the terrain. I want to thank you again for your years of service in this issue, and to our Government overall, and look forward to meeting with you in the future.

Mr. REISS. Thank you.

Mr. KING. Thank you very much.

The meeting stands adjourned.

[Whereupon, at 1:41 p.m., the Subcommittee was adjourned.]

